



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/563,892

01/09/2006

Janghwan Lee

PU030213

5652

24498

7590

09/11/2009

Thomson Licensing LLC

P.O. Box 5312

Two Independence Way

PRINCETON, NJ 08543-5312

EXAMINER

YENKE, BRIAN P

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

09/11/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,892	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> BRIAN P. YENKE	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on RCE/Amendment (08/13/09).
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/13/09 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroi, US 6,204,887 in view of Kim et al., US 6,714,253.

In considering claims 1, 8 and 14,

a) the claimed at least one decoder...is met by video decoders 114, 114', 114'' (Fig 1) which decodes MPEG signals which include embedded/information in the header (col 8, line 4-14).

b) the detect whether the system is operating in an on-screen display mode (i.e. PIP), is met where the system determines if multiple programs/images/sequences are to be displayed onto a single display screen (Fig 5).

Art Unit: 2622

c) the claimed apply the embedded picture setting data is met where if the system is able to accommodate all images using available resources the programs will be viewed as received (which includes processing scene changes and not).

d) the claimed withholding the embedded picture data is met where in the event the windows to be displayed exceed the availability of the resources, then the received images will be controlled so that the data corresponding to significant scene changes (via 156, 152 Fig 2a/b/c) is processed while at least some images without significant scene changes is not processed (see col 12, claims 8-10).

It is noted that Hiroi is concerned with system resources and accommodating the display screen based upon the number of received images and the availability of the system resources.

Based upon applicant's disclosure/argument/amendment that the embedded received information is applied or withheld from the display screen based upon whether the system is in an OSD mode or not, the examiner relies upon previously incorporated Kim et al., US 6,714,253

Kim discloses a system which based upon the embedded information of the signal (i.e. 4:3 or 16:9) will withhold the typical adjustment, based upon a set-top box OSD processing bit (Fig 11-12). In event a 16:9 source is incoming and the OSD processing bit is customized to "1", the system will adjust (prevent/withhold in part) the received signal embedded parameter in order to display the OSD/inset image appropriately as shown in Fig 12.

The motivation for modifying Hiroi in view of Kim would be to provide a display which was unaffected by a signal embedded parameter (as shown in Fig 11) thereby preventing/withholding in part/adjusting a received parameter accordingly.

In considering claims 2 and 15,

Kim discloses screen format data such as interlace, progressive, 4:3, 16:9, SD or HD (Fig 10).

In considering the claims 3-4, 9-11 and 15-17,

Hiroi does not explicitly recite the conventional features of the embedded picture data including/comprising screen format data, colorimetry data, nor performing a color conversion based on the colorimetry data.

Although the concept of varying inputs/signals including various formats/colors thus requiring conversion or not is conventional in the art, thus the examiner takes "OFFICIAL NOTICE" regarding such. In the event of a traversal the examiner notes Glen et al., US 6,462,786 (applicant's cited prior art), which discloses these features (Fig 2, 10-17) where the input video type/color is detected, and conversion into a suitable display color base is performed.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hiroi which discloses the display of various signals onto a single display screen, by also utilizing conventional color based detection/conversion in order to ensure all video programs are converted (or not) into the displays color base domain.

In considering claims 5-6, 7, 12-13 and 18-20,

As stated above Hiroi discloses whether a selected image/images will exceed the resources of a single display screen (including TV programs abstract), wherein a status (i.e. the claimed flag) is ascertained on the number of programs/windows being displayed and their respective size (i.e. the claimed OSD mode), where the system includes conventional TV portions (i.e. antenna 102, tuners 106, input device 104, demultiplexers 112, display 134 etc...see all elements Fig 1). Also, referring to claims 6 and 19, Kim discloses the setting a customized control bit OSD = 0 (Fig 11) or OSD = 1 (Fig 12) in order to adjust the image when an OSD image is being displayed.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(571)-273-8300**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

(703)305-HELP.

General information about patents, trademarks, products and services offered by the United States Patent and Trademark Office (USPTO), and other related information is available by contacting the USPTO's General Information Services Division at:

800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

Art Unit: 2622

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information

Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.

/BRIAN P. YENKE/  
Primary Examiner, Art Unit 2622

B.P.Y.  
09 Sep 09